

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, November 9, 1999, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

CHARLES V. SMITH
CHAIRMAN
First District

THOMAS W. WILSON
VICE CHAIRMAN
Fifth District

TODD SPITZER
SUPERVISOR
Third District

JAMES W. SILVA
SUPERVISOR
Second District

CYNTHIA P. COAD
SUPERVISOR
Fourth District

ATTENDANCE: All members present

EXCUSED: None

PRESENT: COUNTY EXECUTIVE OFFICER Janice M. Mittermeier
COUNTY COUNSEL Laurence M. Watson
CLERK OF THE BOARD Susan Novak, Assistant

INVOCATION: Supervisor Silva, Second District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Coad, Fourth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairman Smith presented a resolution recognizing November as "Grand Jury Awareness Month"

Supervisor Coad presented a resolution recognizing Linda Edelman

Chairman Smith presented a resolution recognizing November as "National Adoption Awareness Month"

II. CONSENT CALENDAR (Items 1-25)

35241 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 21 WHICH WAS
CONTINUED TO 11/23/99, 9:30 A.M.**

BOARD APPOINTMENTS

1. **Chairman Smith** - California State Association of Counties - Reappoint James Silva for a term ending 12/31/00

S U M M A R Y A C T I O N M I N U T E S

DEPARTMENT APPOINTMENTS

2. **Health Care Agency** - Alcohol and Drug Advisory Board and Local Suppression of Drug Abuse in Schools Advisory Committee - Appoint Isabel C. Melloni, Garden Grove to complete term ending 3/8/02

COMMENDATIONS/PROCLAMATIONS

3. **Chairman Smith** - Adopt resolution congratulating D. Gregg Brown for his contributions to the Building Industry R99-447
4. **Supervisor Spitzer** - Adopt resolution commending Child Abuse Services Team for its excellent work and services to the community R99-451

Supervisor Coad:

5. Adopt resolution acknowledging Para Todos Magazine and its editor and publisher, Silvia Ichar R99-453
6. Adopt resolution recognizing the diligent work of the Orange County Rescue Mission R99-454

HEALTH CARE AGENCY

7. Adopt resolution approving agreement 99-85833 with State Department of Health Services for Refugee Preventive Health Services, Long Term Impact Project, 7/1/99 - 6/30/01 (\$175,000) - All Districts R99-455
8. Approve agreement with Regents of the University of California, Irvine to provide assistance in off-site research of anti-HIV drugs - All Districts

INTEGRATED WASTE MANAGEMENT DEPARTMENT

9. Approve agreement with City of Laguna Woods for disposal of municipal solid waste in landfill system; authorize Director to execute agreement; and make California Environmental Quality Act findings - District 5
10. Approve plans and specifications and set bid opening for 12/22/99, 2:00 p.m. for construction of water supply system improvements, Olinda Alpha Landfill; and make California Environmental Quality Act findings - District 3

PLANNING AND DEVELOPMENT SERVICES

11. Approve Parcel Map 98-163, Parker Pacific West, Inc., Costa Mesa, accept dedication of easement over parcels "A" and "B" for fire and emergency vehicle ingress and egress - District 2

S U M M A R Y A C T I O N M I N U T E S

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

12. Approve plans and specifications and set bid opening for 12/15/99, 2:00 p.m. for first phase replacement and upgrade of heating, ventilation and air conditioning controls, Hall of Administration, Santa Ana - District 1
13. Certify completion of private street improvements, street lights, sewer and water systems, landscaping and monumentation; and authorize release of bonds, Tract 13905, IPC-Smith/Stratford, Rancho Santa Margarita area - District 3
14. Approve price agreement N1000002219 with Mc Nottingham Co. Inc. for septic tank pumping and cleaning at various Harbors, Beaches and Parks facilities, 11/10/99 - 11/9/00 (\$90,000); renewable for two additional years; and make California Environmental Quality Act findings - All Districts

Acting as the Orange County Flood Control District:

15. Adopt resolution approving agreement with AC Products, Inc. for lease of land located in the Placentia Retarding Basin for installation of groundwater extraction and treatment system; and make California Environmental Quality Act and other findings - District 4
R99-456
16. Adopt resolution approving submission of grant applications to State of California for Environmental Enhancement and Mitigation Program funds; and authorize Director or designee to execute - All Districts
R99-457

PUBLIC PROTECTION

District Attorney:

17. Approve price agreement N1000002247 with State of California/Department of Justice for fingerprint and record check services, 11/1/99 - 10/31/04 (\$325,851) - All Districts
18. Approve purchase of network equipment from Cabletron Systems for communications upgrade and support to various units with the criminal division (\$19,951) - All Districts

GENERAL ADMINISTRATION

Assessor Department:

19. Approve extension of agreement N1000001719 with Bob Klamt, management consultant, for review of Assessor Department operations, 12/1/99 - 5/31/00 - All Districts
20. Approve price agreement N1000002273 with Hewlett Packard Company for maintenance of document storage and retrieval system, 1/1/00 - 12/31/00 (\$40,284); renewable for two additional years (\$41,000 per year) - All Districts

County Executive Office:

- END OF CONSENT CALENDAR

S U M M A R Y A C T I O N M I N U T E S

III. DISCUSSION ITEMS (Items 26-S36F)

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

- 26 . Select Johnson-Frank & Associates, Inc., Hunsaker & Associates, Irvine, Inc. and Robert Bein, William Frost & Associates as primary and RASA, Hall and Foreman, Inc. and Berryman & Henigar as alternate architectural-engineering firms for on-call subdivision map checking services and authorize Director or designee to negotiate an agreement for Board approval - All Districts
43251 **APPROVED AS RECOMMENDED**
- 27 . Receive bids and award contract to Lucas Marine Construction Inc. for Sunset Harbor - Phase II Maintenance Dredging Project (\$1,642,800) and approve budget adjustments - District 2 (RA 5 - 4/5 vote)
25341 **APPROVED AS RECOMMENDED**
- 28 . Approve delegation of authority for certification and acceptance of privately-owned subdivision improvements to Director or designee and approve other actions necessary to implement delegation - All Districts
B.O. **CONTINUED TO 11/23/99, 9:30 A.M.**

SOCIAL SERVICES AGENCY

- 29 . Approve amendments to price agreements with various providers for in-home client services for Multipurpose Senior Services Program, FY 99-00 (\$225,000); renewable for two additional years - All Districts
52341 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

- 30 . **District Attorney** - Adopt resolution approving submission of grant application to California Department of Insurance for continued funding for the Automobile Insurance Fraud Investigation and Prosecution Program FY 1999-00; authorize District Attorney or designee to execute subsequent amendments under certain conditions (\$731,322) - All Districts R99-460
34251 **APPROVED AS RECOMMENDED**
- 31 . **Probation** - Authorize acceptance of Juvenile Accountability Incentive Block grant funds from Federal Office of Juvenile Justice Delinquency Preventions (\$433,712); approve purchase of busses and internet server for Juvenile Drug Court Program; and approve related budget adjustments - All Districts
34251 **APPROVED AS RECOMMENDED**

S U M M A R Y A C T I O N M I N U T E S

GENERAL ADMINISTRATION

32. **County Counsel** - Receive public input and consider adoption of resolution a) finding the Environmental Impact Report 563 Final Supplemental Analysis adequate and complete under the California Environmental Quality Act and in compliance with the Writ of Mandate issued by the San Diego Superior Court in Consolidated Case No. 710121, El Toro Reuse Planning Authority, et al., vs. Board of Supervisors of the County of Orange, et al., etc, as modified by the Opinion of the Fourth District Court of Appeal, Division One; b) adopting the proposed amendments to the findings, statement of overriding considerations, and mitigation monitoring plan originally adopted by Resolution LRA 96-01; c) setting aside Resolution LRA 96-01; and d) certifying, as adequate and complete under California Environmental Quality Act and as in compliance with the court decisions, Environmental Impact Report 563 in support of the Community Reuse Plan for Marine Corps Air Station - El Toro as revised with the Supplemental Analysis and adopting the findings, statement of overriding considerations and mitigation monitoring plan, as amended - All Districts

24351 **APPROVED AS RECOMMENDED**
NN

R99-461

33. County Executive Office/Auditor-Controller - Adopt resolution certifying property tax amounts shifted to the Educational Revenue Augmentation Fund in FY 1998-99 by Orange County agencies, for certification to the State Department of Finance and State Controller - All Districts

52341 **APPROVED AS RECOMMENDED**

R99-462

County Executive Office:

34. Receive report and consider OCRAA Membership - All Districts

B.O. **CONTINUED TO 11/23/99, 9:30 A.M.**

35. Receive report and recommendations regarding transitional services for the proposed new City of Rancho Santa Margarita - Districts 3 & 5

35241 **APPROVED AS MODIFIED TO DIRECT CHAIRMAN TO SEND NEW CITY LETTER OF CONGRATULATIONS**

S U M M A R Y A C T I O N M I N U T E S

36. Select a preferred funding scenarios for use of County's share of the National Tobacco Settlement proceeds for incorporations into the Strategic Financial Plan 2000; direct County Executive Office to incorporate the Strategic Financial Plan 2000 into the preparation of the FY 2000-01 Budget - All Districts
- 13245 **APPROVED THE USE OF AS MUCH OF ORANGE COUNTY'S SHARE OF THE MASTER TOBACCO SETTLEMENT AS NECESSARY TO ELIMINATE THE OUTSTANDING PENSION OBLIGATION BONDS AND THE 1995 REFUNDING RECOVERY BONDS**
- 15234 **DIRECTED THE CEO TO PROCEED WITH THE PROCESS TO SELECT PROFESSIONALS TO FULLY EXPLORE THE POTENTIAL SECURITIZATION OF ORANGE COUNTY'S SHARE OF THE MASTER TOBACCO SETTLEMENT FOR CONSTRUCTING CAPITAL PROJECTS FOR ADEQUATE JAIL FACILITIES OR JAIL-RELATED ALTERNATIVES AND RETURN TO THE BOARD FOR SELECTION AND APPROVAL**
- 13452
N N **APPROVED IN CONCEPT A DRUG AND ALCOHOL REHABILITATION UNIT WITH BOTH SECURED AND UNSECURED BEDS. DIRECTED THE CEO'S OFFICE WORKING WITH THE SHERIFF AND HCA TO DEVELOP RECOMMENDATIONS REGARDING THIS FACILITY**
- 15234 **APPROVED IN CONCEPT THE COMPLETED EXPANSION AND OPERATION OF THE THEO LACY BRANCH JAIL. DIRECTED THE CEO'S OFFICE WORKING WITH THE SHERIFF TO REPORT BACK TO THE BOARD WITH A DETAILED PLAN FOR EXPANSION AND OPERATION**
- 13245 **DIRECTED HCA TO WORK WITH HEALTH CARE COMMUNITY GROUPS AND ORGANIZATIONS ON AN ACTION PLAN AND FUNDING REQUIREMENTS TO ADDRESS IDENTIFIED HEALTH NEEDS. DIRECTED THE CEO TO REPORT BACK TO THE BOARD WITH RECOMMENDATIONS REGARDING THE PROPOSED FUNDING PLAN**
- 13245 **DIRECTED THE CEO TO RESERVE AN APPROPRIATE AMOUNT FOR CONTINGENCIES AND ON-GOING STRATEGIC PRIORITIES**
- 13245 **DIRECTED THE CEO TO INCORPORATE AS APPLICABLE THE ABOVE ACTIONS IN THE PREPARATION OF THE FY 2000-2001 BUDGET**
- 15234 **ADOPT THE STRATEGIC PLAN WITH ABOVE AMENDMENTS**
- 51234 **ALL STAFF DIRECTIONS TO REPORT BACK TO THE BOARD REGARDING THIS ITEM, SHALL BE WITHIN 120 DAYS**

S U M M A R Y A C T I O N M I N U T E S

- S36A. **Sheriff-Coroner** - Receive and file annual Inmate Welfare Fund Expenditure Reports FY 1997-98 (\$5,141,282.64) and FY 1998-99, (\$4,454,433.36) - All Districts
35241 **APPROVED AS RECOMMENDED**
- S36B. **Planning and Development Services** - Adopt resolution determining that property tax revenue from consolidation of Tri-Cities Municipal Water District and Coastal Municipal Water District (RO-97) be allocated to South Coast Water District - District 5 R99-463
53241 **APPROVED AS RECOMMENDED**
- S36C. **Supervisor Silva** - Adopt resolution recognizing Orange County Volunteer Program and Jane Dawson, Volunteer Coordinator for receiving 1999 Daily Points of Light Award R99-464
25341 **APPROVED AS RECOMMENDED**
- S36D. **Supervisor Silva** - Approve amendment 13 to agreement 40 with Orange County Council on Aging, Inc. increasing maximum obligation to \$379,144; and authorize Director to execute amendments which do not exceed \$25,000
23451 **APPROVED AS RECOMMENDED**
- S36E. **County Executive Office** - Approve agreement with 401 Capitol City Tower Corporation for lease-conveyance of a 101,463 square foot office building at 401 Civic Center Drive, Santa Ana - District 1
12345 **APPROVED AS RECOMMENDED**
- S36F. **Public Facilities and Resources Department** - Declaration of condition of the Santa Ana River at First Street in Santa Ana as an emergency; authorize Director or designee to award construction contracts pursuant to Public Contract Code Section 22050; set review every 14 days to determine continuing need for emergency action; and make California Environmental Quality Act findings - District 1
13245 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (Item 37)

HOUSING AND COMMUNITY DEVELOPMENT

37. Public Hearing to consider adoption of amendments to FY 1999-00 Annual Action /Consolidated Plan to reprogram unspent Federal Community Development Block Grand funds - All Districts
B.O. **CLOSED PUBLIC HEARING**
54231 **APPROVED AS RECOMMENDED**

V. CLOSED SESSION (none scheduled)

S U M M A R Y A C T I O N M I N U T E S

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Sam Roth - Oral Re: Tobacco Settlement and Orange County's health care needs
Charles Griffin and Linda Jones - Orals Re: El Toro Airport
Steve Kubby, Mira Ingram, Michelle Kubby, Anna Boyce and Doug Scribner - Orals Re: Medical Marijuana
Compassionate Use Act

BOARD COMMENTS:

Chairman Smith - Requested staff to report back regarding Board of Supervisors responsibilities under Prop 215,
Medical Marijuana Compassionate Use Act

ADJOURNED: 12:44P.M.

5 3 2 4 1 Adjourned in memory of Art and Barbara Peever and Rick and Dotti Foth

5 3 2 4 1 Adjourned in memory of Effat and Virginia Mansousr, Tobey Seidman and parents of Moataz
Mohammed

*** KEY ***

Left Margin Notes

1. v Chairman Smith
2. v Supervisor Silva
3. v Supervisor Spitzer
4. v Supervisor Coad
5. v Supervisor Wilson

Right Margin Notes

- | | |
|------------------|-----------------|
| A. v Abstained | O. v Ordinance |
| X. v Excused | R. v Resolution |
| N. v No | |
| BO v Board Order | |

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

CHARLES V. SMITH, CHAIRMAN
Orange County Board of Supervisors

SUSAN NOVAK, ASSISTANT
Orange County Clerk of the Board